

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 198

H. P. 576

House of Representatives, Jan. 28, 1931.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent down for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Brewster of Wells.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTY-ONE

AN ACT to Amend the Charter of the Ogunquit Village
Corporation.

Be it enacted by the People of the State of Maine, as follows:

Section two of chapter two hundred and three of the Private and Special Laws of 1913, an act to incorporate the Ogunquit Village Corporation, by inserting after the words and punctuation, "wharves and lands;" the following provision: 'to widen, deepen, extend and maintain the channel of the Josias river between Flat Pond and the seam and to widen, deepen and enlarge Flat Pond; and for said purposes to take and acquire by eminent domain, between the Mayo Falls, so-called, and the sea, any marshland along or through which said river flows and any land lying on either side of said river from the thread of the stream to a line not more than fifty feet above mean high water mark; and said corporation may exercise the right of eminent domain in the taking of land along said river for the purposes herein specified, in the same manner as provided in chapter twenty-seven of the Revised Statutes of 1930, for the ascertainment of damages in the location and establishment of highways; provided, that application by either party in interest for the determination of damages shall be made within three years after the land is so taken;' so that said section shall read as follows:

'Sect. 2. Said corporation is hereby authorized and vested with the power, at any legal meeting called for the purpose, to apportion and designate the uses to which the money referred to in section five hereof shall be put, said uses for said moneys and said purposes being among other things as follows: to create and maintain a fire department with all the necessary equipment, appliances and apparatus for the prevention and extinguishment of fires; to build, maintain and repair roads, streets and ways, sidewalks, sewers and other sanitary works, including the collection and removal of offal and garbage; to care for and beautify that portion of the corporate territory of Ogunquit which may hereafter be reserved for and dedicated to public uses to be enjoyed in common by all the inhabitants of said Ogunquit Village Corporation, and to that end to build roads and walks upon and to said public lands, and to plant and care for trees in the roads and streets and upon said public lands; to build, repair and maintain public wharves and lands; to widen, deepen, extend and maintain the channel of the Josias river between Flat Pond and the sea, and to widen, deepen and enlarge Flat Pond; and for said purposes to take and acquire by eminent domain, between the Mayo Falls, so-called, and the sea, any marshland along or through which said river flows, and any land lying on either side of said river from the thread of the stream to a line not more than fifty feet above the mean high water mark, and said corporation may exercise the right of eminent domain in the taking of land along said river for the purposes herein specified, in the same manner as provided in chapter twenty-seven of the Revised Statutes of 1930, for the ascertainment of damages in the location and establishment of highways; provided, that application by either party in interest for the determination of damages shall be made within three years after the land so taken; to establish and maintain police and night watch; to procure water for fire, domestic and other purposes; and to procure light for public use and for the use of the inhabitants of said corporation; said village corporation shall so long as the present water contract continues pay its proportion of the total expense therefor to the town of Wells, and upon the expiration of said contract shall have authority to contract therefor with such other firm or corporation as it sees fit, providing said town neglects or refuses

after reasonable time for so doing; said town may contract for water for said purposes, and if said town shall contract said corporation shall pay its portion of its expense for the same. And for the purpose of obtaining light as above mentioned, said village corporation shall have authority to contract with any individual, firm or corporation to furnish such light for either or both of the purposes above mentioned.'

And said section two of the act aforesaid is hereby further amended by adding at the end thereof the following provision:

'Said corporation is hereby authorized and empowered to negotiate its note or notes to procure a temporary loan or loans for the payment in whole or in part of any obligation, or for any purpose, for which said corporation may legally appropriate money, in anticipation of the payment of its annual funds by the town of Wells as herein provided, and to issue its note or notes therefor, at interest, and for terms of not more than one year; the aggregate amount of such temporary loans in any one year shall not exceed five thousand dollars; and notes issued under the provisions of this section for a shorter period than one year may be refunded by the issue of other notes maturing within the required period; provided, however, that the period from the date of issue of the original loan and the date of maturity of the refunding loan shall not be more than one year, and provided, further, that no notes shall be refunded under the provision of this section except under the authority of such vote as is required for the original borrowing; and provided, further, that no such note or notes, so issued, shall be valid if written for a longer term than one year, and no refunding note shall be valid if the period between the date of the original note and the date of the maturity of such refunding note is more than one year; nor unless the original vote authorizing such note or notes states that they are to be paid out of moneys received from the town of Wells as herein provided during the current year in which said notes are issued. Said notes when authorized by the legal voters present at any regular or special meeting, issued as herein provided, and duly signed by the treasurer and board of overseers of said corporation shall be its legal obligations.'